

Remarks

Applicants respectfully request reconsideration of the above-identified application. Claims 1-7, 12-13, 16-32, 37-38, 41-46, 48-63, 65-68, 70-73, 78-80, 83-85, 90-92, 97-104, 106-107, and 110 remain in this application. Claims 1, 19-24, 27, 45-46, 48-51, 54-63, 65-68, 70, and 97-101 have been amended.

Claims 8-11, 14-15, 33-36, 39-40, 47, 64, 69, 74-77, 81-82, 86-89, 93-96, 105, 108-109, and 111-112 have been canceled. The subject matter of canceled claims 8-9 was incorporated into amended claim 1. The subject matter of canceled claims 33-34, 69, and 75 is incorporated into amended claim 27. The subject matter of canceled claim 47 is incorporated into amended claim 46. The subject matter of canceled claim 64 is incorporated into amended claim 63. The subject matter of canceled claims 86 and 88 is incorporated into amended claim 54. The subject matter of canceled claims 95 and 105 is incorporated into amended claim 55. The subject matter of canceled claim 108 is captured by claim 107. The subject matter of canceled claim 111 is captured by claim 110.

The specification has been amended to cancel Examples 5-6, which are now believed to have been incorrectly reported in the Application as originally filed, since the overprint varnishes of those examples were cured by ultraviolet-light radiation rather than by electron-beam radiation.

Applicants respectfully traverse the pending rejections as conceivably applied to the pending amended claims.

I. Rejections based on the art.

A. Rejections based on Patrick and Elms.

As previously presented, claims 1-7, 12-13, 16-26, 56-61, and 107 were rejected under 35 U.S.C. §103(a) as obvious in view of U.S. Patent 6,060,136 to Patrick¹ combined with U.S. Patent 3,976,614 to Elms.

¹ Patrick '136 corresponds to International Patent Application Publication WO 97/28964, which published on August 14, 1997.

Patrick fails to disclose radiation-cured inks, much less an electron-beam cured ink as recited in amended claim 1. (*See* Examiner Nolan, Office action mailed Dec. 3, 2003 at section 7.)²

The recent Office action cited Elms to show thermoset inks with respect to claim 1 as previously presented. (Office action mailed Dec. 6, 2006 at p.3, §4.) However, the amended claims do not recite thermoset inks. And Elms fails to disclose an electron-beam cured ink.

A *prima facie* case of obviousness requires that the applied prior art references teach or suggest *all* of the claim limitations. MPEP §706.02(j). Each claim recitation must be considered in judging the patentability of that claim against the prior art. MPEP §2143.03.

Applicants respectfully traverse the rejection of claim 1 as amended because a *prima facie* case of obviousness has not been established. The combination of Patrick with Elms fails to render the claimed invention obvious because the proposed combination fails to teach or suggest the electron-beam cured ink claim recitation.

The claims dependent to claim 1 have further recitations, and therefore are further patentable over the combination of Patrick with Elms.

B. Rejections based on Patrick, Elms, and Fairbanks.

As previously presented, claims 27-32, 37-38, 41-46, 48-55, 62-63, 65-68, 70-73, 78-80, 83-85, 90-92, 97-104, and 106 were rejected under 35 U.S.C. 103(a) as obvious in view of Patrick combined with Elms and U.S. Patent 4,008,115 to Fairbanks.

Patrick fails to disclose electron-beam radiation-cured varnishes. (*See* Office action mailed Dec. 6, 2006 at p.2, §4 and p.3, §5.) Elms was cited to show thermoset inks, and

² Although a recent Office action states that Patrick discloses that the “entire film is treated with radiation thus causing crosslinking” (Office action mailed Dec. 6, 2006 at p.2, §4), Patrick nevertheless has nothing to do with radiation *curing* of an ink or a varnish. Please see a previous Response mailed September 18, 2006 at page 2 for a more detailed discussion of why this is the case. (For the sake of brevity, that discussion is not repeated here.) Simply put, Patrick teaches irradiation of a film to “induce cross-linking between molecules” of the film. (Patrick, col. 13, lines 35-37.) This type of irradiation procedure has nothing to do with radiation-*cured* inks and varnishes.

fails to disclose an electron-beam cured varnish. To supplement the shortcoming with respect to radiation-cured varnishes, the recent Office action cited Fairbanks. (*Id.* at p.3, §5.)

In response, Applicants respectfully traverse the obviousness rejections as conceivably applied to the amended claims by directing the Examiner's attention to the enclosed Declaration of Milton Bowen, which presents comparative testing data to establish objective evidence of non-obviousness.

As discussed in the Declaration on pages 1 to 4, three examples (five samples each) of printed antifog films having electron-beam cured overprint varnishes over a solvent-based ink (Ink 1) were made using three different types of antifog films (i.e., Examples 1-3). These Examples 1-3 were made according to the invention as presently claimed. Comparison films (Samples 1-3) were also made using the same three types of antifog films and printed a solvent-based ink (Ink 2), but without an electron-beam cured overprint varnish.

Each of the Examples 1-3 and the Samples 1-3 were subjected to conditions simulating storage of the printed films in roll form, which is the believed cause of "ghosting" (explained in the Application, page 2, lines 4-19), then exposed to moisture-condensate conditions. (See Declaration, page 3.)

The comparative Samples 1-3 demonstrated significantly deteriorated antifog characteristics, as shown by the Antifog Ratings of from 2.0 to 3.3. However, the Examples 1-3, made according to the present invention, had Antifog Ratings ranging from 4.3 to 4.8. (See Declaration; Table 1.) Milt Bowen believes that these Antifog Rating results for Examples 1-3 showed the lack of any significant deterioration of the antifog characteristic and established a surprising and unexpectedly good performance. (Declaration at page 4.)

The claims dependent to independent claims 27, 54, and 55 have further recitations, and therefore are further patentable over the combination of Patrick, Elms, and Fairbanks.

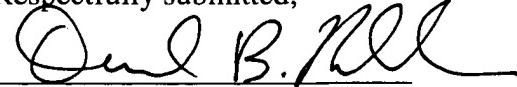
II. Conclusion

In view of the amendments, the Declaration of Milton Bowen, and these remarks, it is respectfully submitted that the present application is in condition for allowance. A notice to that effect is earnestly and respectfully requested.

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